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|   | ATTY DOCKET NO.:   | SERIAL NO.:     |  |
| V Patent and Trademark Office                   | VIGN1260-1         | 09/681,760      |  |
| 4 2003 日  | APPLICANT(S):      |                 |  |
| 1 FFB 1 " - 151                                 | Sean M. McCullough |                 |  |
| NFORMATION DISCLOSURE                           | FILING DATE:       | GROUP ART UNIT: |  |
| NFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT | May 31, 2001       | 2152            |  |
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## **U.S. PATENT DOCUMENTS**

| EXAM.<br>INITIALS |     | DOCUMENT<br>NUMBER | DATE     | NAME                             | CLASS  | SUB-<br>CLASS | FILING<br>DATE |
|-------------------|-----|--------------------|----------|----------------------------------|--------|---------------|----------------|
| AN                | A1  | 5,790,790          | 08/04/98 | Smith et al.                     | 395    | 200           | 10/24/96       |
| (h)               | A2  | 5,774,660          | 06/30/98 | Brendel et al RECEIVE            | 395    | 200           | 08/05/96       |
| 0                 | А3  | 5,761,416          | 06/02/98 | Mandai et al.                    | 395    | 200           | 12/27/96       |
| (Av)              | A4  | 5,732,218          | 03/24/98 | Bland et al. FEB 1 9 2003        | 395    | 200           | 01/02/97       |
| (A)               | A5  | 5,421,015          | 05/30/95 | Khoyi et al. Technology Center 2 | 100209 | 107           | 09/20/93       |
| (And              | A6  | 5,339,392          | 08/16/94 | Risberg et al.                   | 345    | 762           | 12/28/90       |
| (Pro)             | A7  | 5,331,673          | 07/19/94 | Elko et al.                      | 714    | 43            | 03/30/92       |
| (AC)              | A8  | 5,257,369          | 10/26/93 | Skeen et al.                     | 709    | 312           | 10/22/90       |
| AD                | A9  | 5,226,161          | 07/06/93 | Khoyi et al.                     | 709    | 316           | 08/31/92       |
| A.                | A10 | 5,312,787          | 05/18/93 | Baker et al.                     | 707    | 101           | 03/12/91       |
| (AP)              | A11 | 5,210,824          | 05/11/93 | Putz et al.                      | 707    | 523           | 03/28/91       |
| APD.              | A12 | 4,811,207          | 03/07/89 | Hikita et al.                    | 707    | 2             | 03/06/86       |
| (AU)              | A13 | 4,754,428          | 06/28/88 | Schultz et al.                   | 709    | 246           | 04/15/85       |
| The               | A14 | 6,185,608          | 02/06/01 | Hon et al.                       | 709    | 219           | 06/12/98       |
| AN                | A15 | 6,185,586          | 02/06/01 | Judson                           | 707    | 513           | 04/06/98       |
| (R)               | A16 | 6,141,737          | 10/31/00 | Krantz et al.                    | 711    | 171           | 11/04/99       |
| A                 | A17 | 6,138,141          | 10/24/00 | DeSimone et al.                  | 709    | 203           | 10/18/96       |
| Ab                | A18 | 6,128,665          | 10/03/00 | Fields et al.                    | 709    | 219           | 07/10/98       |
| (A)               | A19 | 6,112,279          | 08/29/00 | Wang                             | 711    | 119           | 03/31/98       |
| Aw                | A20 | 6,094,662          | 07/25/00 | Hawes                            | 707    | 104           | 04/30/98       |
| B                 | A21 | 6,085,226          | 07/04/00 | Horvitz                          | 709    | 203           | 01/15/98       |
| AD                | A22 | 6,067,565          | 05/23/00 | Horvitz                          | 709    | 218           | 01/15/98       |
| AN                | A23 | 5,958,008          | 09/28/99 | Pogrebisky et al.                | 709    | 223           | 04/11/97       |
| And               | A24 | 5,878,223          | 03/02/99 | Becker et al.                    | 709    | 223           | 05/07/97       |
| (h)               | A25 | 5,870,559          | 02/09/99 | Leshem et al.                    | 709    | 224           | 04/11/97       |

| EXAMINER | Ael. 1 | 1810 | DATE CONSIDERED |
|----------|--------|------|-----------------|
|          | March  | D146 | 1/13/2004       |

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| FORM PTO 1449 US Department of Commerce Patent and Trademark Office | ATTY DOCKET NO.:<br>VIGN1260-1   | SERIAL NO.:<br>09/681,760 |  |
|---|----------------------------------|---------------------------|--|
|   | APPLICANT(S): Sean M. McCullough |                           |  |
| INFORMATION DISCLOSURE<br>STATEMENT BY APPEIE ANT                   | FILING DATE: May 31, 2001        | GROUP ART UNIT:<br>2152   |  |

| (A)  | A26 | 5,796,952 | 08/18/98 | Davis et al.                    | 709    | 224    | 03/21/97 |
|------|-----|-----------|----------|---------------------------------|--------|--------|----------|
| (a)  | A27 | 5,740,430 | 04/14/98 | Rosenberg et al.                | 395    | 616    | 11/06/95 |
| B    | A28 | 5,727,129 | 03/10/98 | Barrett et al.                  | 706    | 10     | 06/04/96 |
| (Pr  | A29 | 5,572,643 | 11/05/96 | Judson RECEIVED                 | 709    | 218    | 10/19/95 |
| (A)  | A30 | 6,012,052 | 06/04/00 | Altschuler, et al. FEB 1 9 2003 | 707    | 2      | 01/15/98 |
| Re   | A31 | 5,918,014 | 06/29/99 |                                 | 395    | 200.49 | 12/26/96 |
| (AU) | A32 | 5,884,282 | 03/16/99 | Robinson Technology Center 21   | 00 705 | 27     | 04/09/98 |
| D    | A33 | 5,790,426 | 08/04/98 | Robinson                        | 364    | 554    | 04/30/97 |
| A)   | A34 | 5,704,017 | 12/30/97 | Heckerman, et al.               | 395    | 61     | 02/16/96 |
| A    | A35 | 6,041,311 | 03/21/00 | Chislenko, et al.               | 705    | - 27   | 01/28/97 |
| A    | A36 | 6,092,049 | 07/18/00 | Chislenko, et al.               | 705    | 10     | 03/14/97 |
| (A)  | A37 | 6,049,777 | 04/11/00 | Sheena, et al.                  | 705    | 10     | 03/14/97 |

## **FOREIGN PATENT DOCUMENTS**

| EXAM.<br>INITIALS |    | DOCUMENT<br>NUMBER | DATE | COUNTRY | CLASS | SUB-<br>CLASS | TRANSLATION<br>(YES/NO) |
|-------------------|----|--------------------|------|---------|-------|---------------|-------------------------|
| (Ac)              | B1 |                    |      |         |       |               |                         |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

| All      | C1  | Discount Store News, "Datasage Customer Analyst," 1998  |  |  |  |
|----------|---|---|--|--|--|
| A        | C2  | Montgoemry, et al., "Estimating Price Elasticities with Theory-Based Priors," J. Marketing Research, Vol. 36, pp. 413-23, 1999.                                 |  |  |  |
| (A)      | СЗ  | Simon, "Price Management," Elsevier Sci Pub, pp. 13-41, 1989.   |  |  |  |
| (A)      | C4  | Subrahmanyan and Shoemaker, "Developing Optimal Pricing and Inventory Policies for Retailers Who Face Uncertain Demand," J. Retailing, Vol. 72, pp. 7-30, 1996. |  |  |  |
| (A)      | C5  | Vilcassim and Chintagunta, "Investigating Retailer Product Category Pricing from Household Scanner Panel Data," J. Retailing, Vol. 71, pp. 103-28, 1995         |  |  |  |
| (Art)    | C6  | Weinstein, "Tackling Technology," Progressive Grocer, 1999.   |  |  |  |
|          | C7  | Wellman, "Down in the (Data) Mines," Supermarket Business, pp. 33-35, 1999.   |  |  |  |
| The      | С8  | RT News, "New Customer Management System Returns Lost Sales to Dick's," RT Magazine, 1999.  |  |  |  |
| EXAMINER | EXAMINER Ashak S. Later DATE CONSIDERED 1/13/2009 |   |  |  |  |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| FORM PTO 1449 US Department of Commerce<br>Patent and Trademark Office | ATTY DOCKET NO.:<br>VIGN1260-1   | SERIAL NO.:<br>09/681,760 |  |
|--|----------------------------------|---------------------------|--|
| FEB 1 4 2003 B   | APPLICANT(S): Sean M. McCullough |                           |  |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT                          | FILING DATE: May 31, 2001        | GROUP ART UNIT:<br>2152   |  |

| Aw   | C9  | DataSage, Inc., "DataSage Customer Analyst," Progressive Grocer, 1998   |
|------|-----|---|
| (P)  | C10 | Miller, M., "Applications Integration-Getting It Together," PC Magazine, Feb. 8, 1994, pp. 111-112, 116-120, 136, 138.  |
| (A)  | C11 | PointCast 2.0 Eases Burden on Network, 3 pp., Jun. 2, 1997.   |
| Re   | C12 | Strom, David, The Best of Push, 7 pp., Apr. 1997.   |
| B    | C13 | When Shove Comes to Push, 7u pp., Feb. 10, 1997.  |
| (Re) | C14 | thirdvoice.com—Home Page and Frequently Asked Questions (7 pages), <u>www.thirdvoice.com</u> , <u>www.thirdvoice.com/help.20/faq.htm</u> , 2000.  |
| (A)  | C15 | Kitts, "An Evaluation of Customer Retention and Revenue Forecasting in the Retail Sector: Investigation into the Effects of Seasonality, Spending and Method" by DataSage,Inc., October 25, 1999, 63 pages. |
| 4    | C16 | Kitts, "RMS Revenue and Retention Forecasting Final Phase Model Specification" by DataSage, Inc., January 31, 2000, 16 pages  |

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| EXAMINER | Ashop B | Letel | DATE CONSIDERED |
|----------|---------|-------|-----------------|
|          |         | 100   | <i>'</i>        |

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